

01-04-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on October 18, 2001 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR §1.10, Mailing Label Number EL769088522US, addressed to Box Patent Application, Commissioner for Patents, Washington, DC 20231.

Attorney Docket No.: AONIP001C1

First Named Inventor: NOVOTNY

Alison Gates

UTILITY PATENT APPLICATION TRANSMITTAL (37 CFR. § 1.53(b))
(Continuation, Divisional or Continuation-in-part application)

Box Patent Application
Commissioner for Patents
Washington, DC 20231

Sir: This is a request for filing a patent application under 37 CFR. § 1.53(b) in the name of inventors:
Vlad J. NOVOTNY and Parvinder DHILLON

For: **MICRO-OPTO-ELECTRO-MECHANICAL SWITCHING SYSTEM**

Assigned to : Active Optical Networks, Inc.

This application is a ☒ Continuation ☐ Divisional ☐ Continuation-in-part
of prior U.S. Patent Application filed October 15, 2001 (Attorney Docket No. AONIP001), from which
priority under 35 U.S.C. § 120 is claimed.

Application Elements:

☒ **41** Pages of Specification, Claims and Abstract

☒ **22** Sheets of formal Drawings

☐ Declaration

☐ Newly executed

☐ Copy from a prior application (37 CFR 1.63(d) for a continuation or divisional).

The entire disclosure of the prior application from which a copy of the declaration is herein supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

☐ Deletion of inventors Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

Accompanying Application Parts:

- ☒ Do not publish this application. Nonpublication Request is attached.
- ☐ Assignment and Assignment Recordation Cover Sheet (recording fee of \$40.00 enclosed)
- ☐ Power of Attorney
- ☐ 37 CFR 3.73(b) Statement by Assignee
- ☐ Information Disclosure Statement with Form PTO-1449 ☐ Copies of IDS Citations
- ☐ Preliminary Amendment (*New claims numbered after highest original claim in prior application.*)
- ☒ Return Receipt Postcard
- ☐ Other:

Claim For Foreign Priority

- ☐ Priority of Application No. filed on
is claimed under 35 U.S.C. § 119.
- ☐ The certified copy has been filed in prior application U.S. Application No.
- ☐ The certified copy will follow.

Extension of Time for Prior Pending Application

- ☐ A Petition for Extension of Time is being concurrently filed in the prior pending application. A copy of the Petition for Extension of Time is attached.

Amendments

- ☒ Amend the specification by inserting before the first line the sentence: "This is a
☒ Continuation ☐ Continuation-in-part ☐ Divisional
application of co-pending prior
☒ Application No. filed on October 15, 2001, (Attorney Docket No. AONIP001)
☐ International Application filed on which
designated the United States,
the disclosure of which is incorporated herein by reference."
- ☐ Cancel in this application original claims of the prior application
before calculating the filing fee. (*At least one original independent claim must be retained.*)

Fee Calculation (37 CFR § 1.16)



Applicant is entitled to Small Entity Status under 37 C.F.R. § 1.27.

	(Col. 1) Total Claims		(Col. 2) Claims	(Col. 3) Present Extra	Rate	Additional Fee
TOTAL		MINUS	20	=	x 18 =	
INDEP.		MINUS	3	=	x 80 =	
[] First presentation of multiple dependent claim					\$270 =	
Basic Filing Fee under 37 C.F.R. §1.16(a)					\$710 =	710.00
TOTAL						
SMALL ENTITY 50% FILING FEE REDUCTION (if applicable)						



Check No. in the amount of \$ is enclosed.



The Commissioner is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 500388 (Order No. _____).

PLEASE DO NOT CHARGE FEES AT THIS TIME

General Authorization for Petition for Extension of Time (37 CFR § 1.136)



Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR § 1.17 as may be needed to Deposit Account No. 500388 (Order No. AONIP001C1).



Please send correspondence to the following address:

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22434

PATENT AND TRADEMARK OFFICE

Date:

Oct 18, 2001

Francis T. Kalinski II

Reg. No. 44,177

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: NOVOTNY et al.

Attorney Docket No.: AONIP001C1

Application No.: FILED HEREWITH


Examiner: UNASSIGNED

Filed: HEREWITH

Group: UNASSIGNED

Title: MICRO-OPTO-ELECTRO-
MECHANICAL SWITCHING SYSTEMCERTIFICATE OF EXPRESS MAILING

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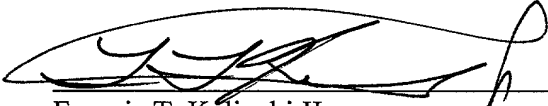
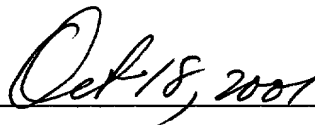

Alison Gates**NONPUBLICATION REQUEST AND CERTIFICATION**
(35 U.S.C. 122(b)(2)(B)(i))

Box Patent Application
Commissioner for Patents
Washington, DC 20231

Sir:

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen (18) months after filing. I hereby request that the attached application **NOT** be published under 35 U.S.C. 122(b).

Date:


Francis T. Kalinski II
Registration No. 44,177**NOTE:**

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications, eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).